

COOK COUNTY SHERIFF
SHERIFF'S POLICE DEPARTMENT
COMMAND CHANNEL REVIEW
COMPLAINT INVESTIGATION NO.--->

II#

2517

TODAY'S DATE

2006-03-088

23-May-06

KINDLY REVIEW AND FORWARD TO THE NEXT STEP WITHIN 15 DAYS. IF YOU DO NOT CONCUR WITH THE FINDINGS OR PENALTY, KINDLY ATTACH A SEPARATE REPORT WITH YOUR RECOMMENDATIONS.

☒ I CONCUR *

☐ I DO NOT CONCUR *

Reviewed By:

Division:

☐ RECOMMEND OPTION BE GRANTED

☐ RECOMMEND OPTIONS NOT BE GRANTED

Title: CHIEF OF POLICE

Date:

AFTER REVIEW, RETURN TO INTERNAL INVESTIGATIONS

☒ I CONCUR *

☐ I DO NOT CONCUR *

Reviewed By:

Division:

☐ RECOMMEND OPTION BE GRANTED

☐ RECOMMEND OPTIONS NOT BE GRANTED

Title: INSPECTOR GENERAL

Date:

Reviewed By:

Division:

☒ I CONCUR *

☐ I DO NOT CONCUR *

☐ RECOMMEND OPTION BE GRANTED

☐ RECOMMEND OPTIONS NOT BE GRANTED

Title: UNDERSHERIFF

Date:

Reviewed By:

Division:

☒ I CONCUR *

☐ I DO NOT CONCUR *

☐ RECOMMEND OPTION BE GRANTED

☐ RECOMMEND OPTIONS NOT BE GRANTED

Title: SHERIFF

Date:

* (WITH ORIGINAL FINDINGS)
(Rev.) I.G. 6/04-7

C.I.#

2006-03-088

COOK COUNTY SHERIFF'S POLICE DEPARTMENT

MEMORANDUM

TO: Marjorie H. O'Dea
Chief of Police

DATE: 25 May 06

FROM: Inspector La'Chom D. Madison
Office of Internal Affairs

SUBJECT: Command Channel Review - RE: Internal Investigation #2517 - I.G. #06-03-088
Police Officer Abraham Martinez

Internal Investigation #2517 - I.G. #06-03-088 has been completed reference the complaint against Police Officer Abraham Martinez. The following is recommended reference the allegations against Officer Martinez:

Allegation #1.....**SUSTAINED**

Allegation #2.....**SUSTAINED**

ADDITIONAL ALLEGATIONS

Allegation #3.....**SUSTAINED**

Allegation #4.....**SUSTAINED**

Allegation #5.....**SUSTAINED**

It is further recommended that Officer Martinez be SEPARATED from the Cook County Sheriff's Police Department.

After reviewing this investigation, please sign green cover sheet and return to the Office of Internal Affairs.



Inspector La'Chom D. Madison
Office of Internal Affairs

LDM:jld

COOK COUNTY SHERIFF'S POLICE DEPARTMENT

MEMORANDUM

TO: Henry J. Barsch
Assistant Inspector General

DATE: 11 May 06

FROM: Inspector La'Chom D. Madison
Office of Internal Affairs

SUBJECT: Internal Investigation #2517 - I.G. #06-03-088 - P.O. Abraham Martinez

Internal Investigation #2517 - I.G. #06-03-088, which has been completed by Sergeant Michael Goldsmith, is being sent to you for your review.

The Office of Internal Affairs is recommending the following in reference to the complaint against Police Officer Abraham Martinez:

Allegation #1.....**SUSTAINED**

Allegation #2.....**SUSTAINED**

ADDITIONAL ALLEGATIONS

Allegation #3.....**SUSTAINED**

Allegation #4.....**SUSTAINED**

Allegation #5.....**SUSTAINED**

It is further recommended that Officer Martinez be SEPARATED from the Cook County Sheriff's Police Department.


Inspector La'Chom D. Madison
Office of Internal Affairs

LDM:jld

SUMMARY REPORT

SUBJECT: COMPLAINT INVESTIGATION NO.
COOK COUNTY SHERIFF'S DEPARTMENT

06-03-088

DATE OF REPORT (DAY - MO -YEAR)

11 May 2006

INSTRUCTIONS:

SUBMIT COMPLETED INVESTIGATION TO THE
INSPECTOR GENERAL'S OFFICE

FROM - INVESTIGATOR'S NAME

Michael Goldsmith

RANK

Sergeant

STAR NO.

63

IDE #

UNIT ASSIGNED (BE SPECIFIC)

Internal Affairs - CCSPD

REFERENCE NOS. (LIST ALL RELATED CASE REPORT, ARREST, REPORT, INVENTORY NOS., ETC. PERTINENT TO THIS INVESTIGATION)

ADDRESS OF INCIDENT (IF IN DEPARTMENT BUILDING, BE SPECIFIC)

201 Westshore, Chicago, IL

DATE OF INCIDENT - TIME

21 March 2006

ACCUSED NAME

1. Abraham Martinez

RANK

Police Officer

STAR NO.

587

IDE #

UNIT ASSIGNED (BE SPECIFIC)

Skokie Patrol

2.

3.

SEX/RACE

1. M/W

D.O.B.

DATE OF APPOINTMENT

06/27/04

DUTY STATUS (TIME OF INCIDENT)

___ ON-DUTY ☒ OFF-DUTY ☒ SWORN ___ CIVILIAN

2.

___ ON-DUTY ___ OFF-DUTY ___ SWORN ___ CIVILIAN

3.

___ ON-DUTY ___ OFF-DUTY ___ SWORN ___ CIVILIAN

IF APPLICABLE - DATE ARRESTED/INDICTED

1. 21 March 2006

CHARGES

Theft - 720 ILCS 5.0/16-A-1-A

COURT BRANCH

43-4

DISPOSITION & DATE

Pending

2.

3.

CITY
Chicago

STATE
IL

SEX/RACE
F/W

DOB/AGE

VICTIM'S NAME

ADDRESS

CITY

STATE

TELEPHONE

SEX/RACE

DOB/AGE

WITNESSES NAME

SEE ATTACHED

ADDRESS

CITY

STATE

LIST ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS AND WITNESSES ON ATTACHED SHEETS

SEE REVERSE SIDE FOR INSTRUCTIONS FOR STATING ALLEGATIONS AND COMPLETING THE REMAINDER OF THE SUMMARY REPORT.
IF C.C. MEMBER, LIST RANK, SOCIAL SECURITY AND UNIT IN ADDRESS

ALLEGATIONS (EXPLAIN HOW COMPLAINT WAS RECEIVED. LIST SEPARATELY ORIGINAL ALLEGATION & ANY ALLEGATION WHICH AROSE DURING INVESTIGATION)

SEE ATTACHED SHEET

SUMMARY REPORT
Internal Investigation #2517
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Accused Name:

1. Abraham MARTINEZ, Police Officer
Skokie Patrol Star #587

Date Appointed: 06/27/04

Complainant:

- 1.

Witnesses:

- 1.

- 2.

- 3.

1. ALLEGATIONS:

1. It is alleged that on 21 March 2006, Police Officer Abraham MARTINEZ, assigned to the Skokie Patrol District, was arrested by the Chicago Police Department for the theft of one-thousand-two-hundred dollars (\$1,200.00) U.S.C. It is alleged that while at the residence of [REDACTED] Officer MARTINEZ took the money out of [REDACTED] purse and upon being questioned by her, fled from the scene.
2. It is also alleged that by his actions, Officer MARTINEZ has brought discredit to himself and the Department.

ADDITIONAL ALLEGATIONS:

3. Officer MARTINEZ failed to properly notify this Department that his wife, Mrs. [REDACTED] is a convicted felon.
4. It is alleged that on the 21st of March 2006, the actions of Officer MARTINEZ

SUMMARY REPORT
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showed conduct unbecoming an officer of the Cook County Sheriff's Police Department.

5. It is further alleged that on the 20th of April 2006, that Officer MARTINEZ provided an official police report (recorded statement) which contained false information.

2. EVIDENCE:

Attachments

1. Complaint Entry Form.
2. Complaint Tracking System Form.
3. Complaint Register Form.
4. Allegation of Employee Misconduct Form.
5. Chief's Information Log.
6. Letter to [REDACTED] notifying her of initiation of Internal Investigation dated 03 April 2006.
7. D.L./I.D. Image Retrieval of [REDACTED]
8. Criminal History of [REDACTED]
9. Memorandum to Internal Investigation File #2517 dated 21 March 2006, reference: Interview of Sergeant MILIO, #826, Chicago Police Department.
10. Memorandum to Internal Investigation File #2527 dated 21 March 2006, reference: Acquisition of Sketch.
11. Memorandum to Internal Investigation File #2517 dated 21 March 2006, reference: Acquisition of Chicago Police Department Report.
12. Memorandum to Internal Investigation File #2517 dated 21 March 2006, reference: Interview of [REDACTED]
13. Memorandum to Internal Investigation File #2517 dated 21 March 2006, reference: Interview of Mr. Jeffery VEGA.
14. Memorandum to Internal Investigation File #2517 dated 21 March 2006, reference: Acquisition of Daily Activity Report.
15. Business Card of *Sudler Property Management Company*.
16. Memorandum to Officer Abraham MARTINEZ dated 21 March 2006, reference: Release from Powers of Arrest.
17. Memorandum to Officer MARTINEZ dated 21 March 2006, reference: Order Not to Carry Firearms, On or Off-Duty.
18. Property Inventory Forms (4) of Returned Property of Officer MARTINEZ.
19. Property Inventory Form - State Laboratory Receipt and copy of inventoried wallet.
20. Memorandum to Internal Investigation File #2517 dated 22 March 2006,

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- reference: Fingerprints of Abraham MARTINEZ.
21. Criminal History of Officer MARTINEZ.
 22. Memorandum to Lieutenant Patrick McGEE dated 03 April 2006, reference: Notification of Internal Investigation.
 23. Memorandum to Officer MARTINEZ from Inspector La'Chom D. MADISON reference: Notification of Internal Investigation dated 03 April 2006.
 24. Technical Assistance Request Form dated 10 April 2006, reference: Requesting copies of tape.
 25. Original audio cassette tape - interview of [REDACTED] dated 07 April 2006 (to be retained in the Office of Internal Affairs).
 26. Witness Acknowledgment Form dated 10 April 2006, signed by [REDACTED]
 27. Statement of [REDACTED] dated 10 April 2006.
 28. Original audio cassette tape - interview of [REDACTED] (to be retained in the Office of Internal Affairs).
 29. Xerox copy of [REDACTED] Illinois Driver's License.
 30. Criminal History of [REDACTED]
 31. Memorandum to Internal Investigation File #2517 dated 13 April 2006, reference: Acquisition of Video Surveillance (**ATTACHED**).
 32. Memorandum to Sergeant Michael GOLDSMITH dated 19 April 2006, reference: Scheduled Interview.
 33. Civil Statutory Rights dated 20 April 2006, presented to Officer Abraham MARTINEZ.
 34. Administrative Proceedings Rights Form dated 20 April 2006, presented to Officer MARTINEZ.
 35. Statement of Officer MARTINEZ dated 20 April 2006.
 36. Original audio cassette tape - interview of Officer MARTINEZ (to be retained in the Office of Internal Affairs).
 37. Memorandum to Internal Investigation File #2517 dated 28 April 2006, reference: Court Date.

3. INVESTIGATION:

On 21 March 2006, the Office of Internal Affairs received a complaint from Ms. [REDACTED] requesting that an Internal Investigation be initiated against Police Officer Abraham MARTINEZ, #587, who is assigned to the Cook County Sheriff's Police Department, Skokie Patrol District. [REDACTED] completed the required Complaint Register Form (No. 3).

On 30 March 2006, Internal Investigation #2517 was obtained, along with I.G. #06-03-088 (No. 1). The unit paperwork was then completed to process the complaint by the Office

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of Internal Affairs (No.'s 4-5). After approval was obtained by the Inspector General's Office to open an Internal Investigation, notification was made to Chief of Police Marjorie H. O'DEA (No. 5). Proper notification was then made to the accused, Officer MARTINEZ (No. 23) and his supervisor, Lieutenant Patrick McGEE (No. 22).

On 21 March 2006, the Office of Internal Affairs was notified by Deputy Chief of Patrol Thomas FOLLIARD that Officer Abraham MARTINEZ was arrested earlier that same day by the Chicago Police Department. The information included that Officer MARTINEZ was currently being held at the 1st District and that Officer MARTINEZ was about to be formally charged with theft.

Inspector MADISON, along with Sergeant Michael GOLDSMITH, responded to the Chicago Police Department, 1st District, and spoke to Sergeant J. MILIO (No. 9) regarding this matter. Sergeant MILIO related the following in summary, but not verbatim:

After responding to the above location, Sergeant MILIO was provided information from the responding officers as to the nature of the call. Sergeant MILIO learned from several parties that Abraham MARTINEZ fled from the building and ran off for about five (5) minutes after he was told the police were responding before returning to the lobby of the building and instructing his wife to leave and to take a cab home.

Sergeant MILIO provided this office with a sketch of the area Officer MARTINEZ ran off to (No. 10). Sergeant MILIO then conducted a search of the general areas where Officer MARTINEZ ran off to in an attempt to locate the reported stolen monies. Sergeant MILIO stated that after no success in locating the monies in the area that Officer MARTINEZ ran off to, and given the time he was gone, it would be all but impossible to find any hidden monies and it could be anywhere.

Sergeant MILIO stated that once at the scene, every attempt was made by the Chicago Police Department to show respect and courtesy to Officer MARTINEZ and his office, however, Officer MARTINEZ was rude and ignorant towards the Chicago Police officers and gave no assistance to them in attempting to resolve the matter at the scene.

On 21 March 2006, to assist in this investigation, Sergeant MILIO provided this office with a sketch of the area where Officer MARTINEZ reportedly ran off to after he was made aware that the Chicago Police Department was responding (No. 10). This sketch depicts the front of the building located at 201 Westshore Drive and the open area in front of the building. This sketch also indicates, by a dotted line, the areas that witnesses observed Officer MARTINEZ run off to.

On 21 March 2006, the Office of Internal Affairs acquired copies of the Chicago Police

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Department Report #RD HM244063 (No. 11). This report includes the Chicago Police Department's investigation into this matter and contains their probable cause to arrest Officer Martinez for theft.

The report includes the Chicago police officers' preliminary investigation into the matter, as well as statements from victims, witnesses and Officer MARTINEZ. After the officers arrived on the scene and learned that Officer MARTINEZ ran out of the lobby for a period of time after he was made aware that the police were on their way, the officer asked MARTINEZ why he ran out of the building. According to the official police report, Officer MARTINEZ could not give any satisfactory reason for leaving the building or where he had gone for that time.

On 21 March 2006, this office, after meeting with Sergeant MILIO of the Chicago Police Department, met with Officer MARTINEZ at the 1st District Lockup facility. At this time, the Office of Internal Affairs formally released Officer MARTINEZ from the powers of arrest (No. 16) and ordered not to carry firearms, on or off-duty (No. 17).

On 21 March 2006, as part of this investigation, the Office of Internal Affairs responded to 201 Westshore Drive, Chicago, IL, to observe the location of the reported incident and to conduct interviews of subjects present for the altercation. Upon arrival, this office observed that the building located at [REDACTED], is a multi-story condominium complex with a large park area directly adjacent to the west side of the building.

On 21 March 2006, at 1100 hours, Sergeant Michael GOLDSMITH and Inspector La'Chon D. MADISON interviewed [REDACTED] Chicago, IL, regarding Internal Investigation #2517 (No. 12).

Ms. [REDACTED] related the following information to this office in summary, but not verbatim:

Ms. [REDACTED] was at a club (Green Dolphin) the night before with another couple [REDACTED]. At about 0200 hours on 21 March 2006, [REDACTED] and her friends decided to leave the club, when she ran into Abraham MARTINEZ, his wife and other friends of MARTINEZ.

Ms. [REDACTED] first met Abraham MARTINEZ when she was 19 years old. Officer MARTINEZ used to work as the doorman at clubs and he would let Ms. [REDACTED] in. Officer MARTINEZ and Ms. [REDACTED] only knew each other from seeing each other in the clubs. Ms. [REDACTED] stated that Officer MARTINEZ has worked in different clubs as recently as a few years ago and may still be working at them, however, she was not sure.

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Before [REDACTED] left with her friends, Officer MARTINEZ convinced her to stay longer and visit with him and his wife. [REDACTED] agreed to this and said goodbyes to her friends and told them she would have MARTINEZ drive her home.

After the club closed, [REDACTED] Officer MARTINEZ and his wife (Cat) agreed to go to [REDACTED] apartment for a drink.

When they all arrived at the apartment, social conversations took place and each had a drink. Then, according to Ms. [REDACTED] Abraham MARTINEZ asked if his wife, [REDACTED], could lie down for awhile. With that said, Officer MARTINEZ's wife went to the main bedroom and rested on the bed (fully clothed). Officer MARTINEZ then entered the bedroom and began insisting that his wife remove her clothes to rest. After Officer MARTINEZ's wife refused to remove her clothes, Officer MARTINEZ began to forcefully remove them from her as she lay on the bed.

Ms. [REDACTED] stated that she entered the bedroom and told Officer MARTINEZ to leave his wife alone, that she was tired and just to let her rest. Ms. [REDACTED] then began to talk with Officer MARTINEZ's wife to see if she was alright. At this point, Officer MARTINEZ left the room and closed the door, stating, "Why don't the two of you get to know each other."

After [REDACTED] spoke with Officer MARTINEZ's wife, [REDACTED] to ensure she was alright and not abused in any way, she went to the main part of the apartment to see where Officer MARTINEZ was, because she found it strange that he left them like that and that he closed the bedroom door when he left. When [REDACTED] entered the main room, she saw Abraham MARTINEZ scurrying out of the spare bedroom and when he saw her, he immediately crouched down against the wall and began to speak with her about his actions. [REDACTED] found this behavior strange and suspicious.

Officer MARTINEZ then went back to the bedroom where his wife was and tried to elicit a sexual relationship between all three (3) parties. [REDACTED] stated to Officer MARTINEZ that she was not into women and to stop his actions. Officer MARTINEZ then became upset and immediately began to tell his wife to get dressed, stating, "We're leaving the apartment."

Officer MARTINEZ's wife was intoxicated and just wanted to rest, however, Officer MARTINEZ began dressing her in order to leave. Officer MARTINEZ could not put her shirt, bra or shoes on, so they held them and they walked out in a hurry. After they entered the hallway of the building [REDACTED] could hear Officer MARTINEZ and his wife arguing in the hallway.

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Finding all MARTINEZ's activities very suspicious, [REDACTED] checked her wallet to make sure her \$1,300.00 was still there. When she looked, she only observed a few twenty dollar bills. Knowing that she keeps all like bills together, she assumed there was only about sixty or eighty dollars (\$60.00 - \$80.00) left in this part of the wallet.

[REDACTED] then called the doorman (Jeffery VEGA) and told him not to let the couple leave the building or get their car out of the garage and to call the police, that they had just stolen \$1,300.00 from her.

[REDACTED] then arrived in the lobby and told Officer MARTINEZ to give her the \$1,300.00 back. [REDACTED] tried to check Officer MARTINEZ's pants pockets, however, Officer MARTINEZ would not let her check one of the pockets and turned away. This was observed by the doorman, Jeffery VEGA. A verbal argument ensued and [REDACTED] told Officer MARTINEZ that the police were called and to let them handle it. With that said, [REDACTED] stated that Officer MARTINEZ went to the turnstile door and attempted to flee. [REDACTED] grabbed Officer MARTINEZ and told him that if he had nothing to hide, to stay there, however, MARTINEZ got loose, ran out of the building and ran off into the area northwest of their location for about five (5) to seven (7) minutes. Officer MARTINEZ then returned back to the lobby and told his wife to leave with him, that they would take a cab. Officer MARTINEZ then told [REDACTED] that he did not have her \$1,200.00. [REDACTED] told them to wait for the police and MARTINEZ yelled that he was the police. At this point, the Chicago Police Department responded.

[REDACTED] stated that all along, she believed Officer MARTINEZ stole \$1,300.00 from her purse because of the way she organizes her currency. She stated that after Officer MARTINEZ returned to the lobby after running away and said that he did not have her \$1,200.00, she thought it was strange, because the earlier arguments were about \$1,300.00.

It was only after returning to her apartment with the Chicago Police Department and checking her wallet again that she found a one-hundred dollar bill (\$100.00) in between the twenty dollar bills, so the amount taken was \$1,200.00, not \$1,300.00. Officer MARTINEZ was the only one who brought up \$1,200.00 during the argument.

[REDACTED] provided this office with the wallet where the money was removed from in an attempt to have it checked for any identifiable fingerprints.

This wallet was subsequently inventoried under Control #0893-06 (No. 19) and forwarded to the Illinois State Crime Laboratory, along with comparison prints from Officer Abraham MARTINEZ for comparison.

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This office was subsequently made aware from the Illinois State Crime Laboratory that at the present time, the earliest date this office could expect results from this request would possibly be in August of 2006.

Again, on 07 April 2006, at approximately 1235 hours, [REDACTED] provided an electronically recorded statement regarding this matter (No. 25). Present were Sergeant Michael GOLDSMITH, Deputy Inspector Claude KAYSEN and Ms. CUNANAN-PEREA. The original audio cassette tape of this interview will be maintained in the Office of Internal Affairs.

The statement that [REDACTED] provided to this office on 07 April 2006, included all the same information that she provided this office on 21 March 2006. The only additional information that was learned by this office was that [REDACTED] was asked by Officer MARTINEZ if she would consider working for his high end escort service.

On 21 March 2006, the Office of Internal Affairs interviewed Mr. Jeffery VEGA (No. 13). Mr. VEGA is the doorman who was on duty at [REDACTED] earlier the morning of the incident and witnessed the events which took place in the lobby area between Ms. [REDACTED] and Officer MARTINEZ.

Mr. VEGA related the following information to this office in summary, but not verbatim:

While working on 21 March 2006, around 0610 hours, Mr. VEGA received a phone call from one of the tenants in the building, [REDACTED] who informed Mr. VEGA to stop the two (2) subjects coming down to the lobby and not to let them get their car out of the garage. [REDACTED] also stated to Mr. VEGA to call the police department. [REDACTED] then arrived in the lobby and again said to Mr. VEGA to call the police. At this point, after [REDACTED] said to call the police, the male subject in the lobby (Abraham MARTINEZ) ran out of the building and ran in a northwest direction for approximately five (5) minutes, then returned to the lobby. When Officer MARTINEZ returned, he told the other female subject (MARTINEZ's wife) to leave and that they would take a cab. While this was going on, [REDACTED] was asking for her money (\$1,300.00) back, which MARTINEZ took.

Mr. VEGA stated that the parties appeared to have been intoxicated and that Officer MARTINEZ began yelling to them that he was the police. Mr. VEGA also stated that Mr. MARTINEZ appeared to be very suspicious.

On 21 March 2006, the Office of Internal Affairs requested and received a copy of the Daily Activity Report - Door Staff, from Ms. Kari GILLES (No. 14). Ms. GILLES is the Property Manager of the building located at 201 Westshore Drive, Chicago, IL.

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This report indicates the doorman's (VEGA) summary of accounts of the events that took place in the lobby area on the morning of 21 March 2006. In this report, Mr. VEGA stated the following information:

██████████ called the lobby and told Mr. VEGA not to let the couple leaving her unit go to the garage, because they stole money from her. A moment later, Ms. ██████████ met the couple in the lobby and ██████████ told Mr. VEGA to call the police. At this point, MARTINEZ ran out of the building and was gone for about five (5) minutes. After he returned, he asked his wife (Cat) to come with him to get a cab. The police then arrived and ██████████ told the police that MARTINEZ stole \$1,300.00 from her.

On 21 March 2006, Ms. GILLES stated that *Sudler Management* would also make available to this office the video recording of the events that took place in the lobby area on 21 March 2006, regarding this investigation.

On 10 April 2006, after receiving the video recording from *Sudler Management* (No. 31), this office requested copies of the lobby camera (from 21 March 2006), from the Cook County Sheriff's Police Department, Technical Investigations Unit.

On 10 April 2006, as part of this investigation, the Office of Internal Affairs requested to speak with ██████████ (wife of Officer MARTINEZ) as a witness to this investigation. Prior to providing her statement to this office, a records check of Mrs. ██████████ indicated that she has been arrested in the past for Retail Theft, Forgery and Larceny (No. 30). These records also indicate that ██████████ is a convicted felon.

On 10 April 2006, this office obtained an electronically recorded statement from Mrs. ██████████. Present for this interview were Sergeant GOLDSMITH, Deputy Inspector KAYSEN, Mrs. MARTINEZ and her attorney, Mr. Roy BRADYS of the firm Childress, Duffy and Goldblatt. Mrs. MARTINEZ provided the following to this office in summary, but not verbatim:

Mrs. ██████████ has been married to Officer Abraham MARTINEZ for about five (5) years. Mrs. MARTINEZ stated that she met Abraham when he was working as a doorman in a nightclub (The Rivera).

On 21 March 2006, she and Abraham (Officer MARTINEZ) left their home at about 0100 hours, leaving Officer MARTINEZ's 16 year old on at home alone, and went to the Green Dolphin Club.

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At some point, while at the club, she and Officer MARTINEZ met [REDACTED]. "Abe stated he remembered her" and they began to talk. After the club closed, [REDACTED] and Abraham (Officer MARTINEZ) agreed to drive [REDACTED] home and on the drive to her residence at [REDACTED] Chicago, IL, they stopped for gas. Mrs. MARTINEZ did not recall anything unusual about the stop for gas - it was just the usual thing.

After arriving at [REDACTED] residence, Officer MARTINEZ parked his vehicle in the complex parking garage as instructed by [REDACTED] and then all three (3) proceeded to [REDACTED] apartment. They had a drink and it was late, so they (Abe and [REDACTED]) decided to leave. Mrs. MARTINEZ stated, "It was no big deal."

When Abe and [REDACTED] apartment and arrived down in the lobby area, the doorman told them to wait there. That is when [REDACTED] came down and started accusing "Abe of taking money from her."

Mrs. MARTINEZ stated, "Abe and Ms. [REDACTED] started arguing about Abe taking her money and Abe said, 'we gotta go, let's get to the car.' Abe was trying to get to the car, so he went outside to see if he could get the car from a button outside. At this point, Ms. [REDACTED] kept telling me, 'look, he's leaving, he stole my money and now he's leaving and he is going to leave you here.'" Mrs. MARTINEZ stated that she was not worried and that she knew Abe would return. Mrs. MARTINEZ stated that while [REDACTED] and Abe were arguing before he left the building, Abe told [REDACTED] "Call the police if you think I took the money."

Mrs. MARTINEZ, when asked, could not remember if at any point were she and Ms. [REDACTED] and/or Abraham (Officer MARTINEZ) in [REDACTED] bedroom for a lengthy period of time.

Mrs. MARTINEZ was then asked if she asked [REDACTED] she could lay down and then did lay down in [REDACTED]. Mrs. MARTINEZ stated, "Honestly, I don't remember." At this point, Mrs. MARTINEZ's recollection of the series of events that took place regarding this investigation became unclear and she could not remember what really happened at [REDACTED] apartment before she and Abraham left.

Mrs. MARTINEZ, when asked about the money, stated that she did recall that Ms. [REDACTED] kept saying that Abe stole \$1,200.00 and kept repeating it.

On 13 April 2006, the Office of Internal Affairs received from the Cook County Sheriff's

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Police Department, Technical Investigations Unit, copies of the surveillance video from 21 March 2006, at 201 Westshore, Chicago, IL. This video (No. 31) indicates the events that took place in the lobby during the altercation between [REDACTED] and the MARTINEZ's. After a review of the video recording, this office made the following observations as they relate to the investigation:

On 21 March 2006, at approximately 0602 hours, Mrs. MARTINEZ enters the lobby (from the security door from the hallway) alone. Mrs. MARTINEZ is carrying several items of clothing in her hand and one of these items appears to be a bra. After a few moments, Officer MARTINEZ exits the security door from the hallway, however, he does not let the door close behind him, rather he holds the door open to the secure part of the building while he has a conversation with the doorman, Mr. VEGA.

At approximately 0603 hours, [REDACTED] exits the security door into the lobby area and immediately begins to speak with Officer MARTINEZ at the doorway. Officer MARTINEZ is observed removing an item from his pants pocket and [REDACTED] grabs for the item. (According to [REDACTED] Officer MARTINEZ removed some monies and she grabbed it) [REDACTED] is then observed trying to reach into Officer MARTINEZ's pants pockets, however, Officer MARTINEZ begins to turn his right pants pocket away from [REDACTED] and shields the pocket with his right hand when she reaches for that pocket.

A conversation then takes place between [REDACTED] and Officer MARTINEZ near the doorman's desk. A moment later, at approximately 0604 hours, Officer MARTINEZ walks towards the revolving door that leads to the outside of the building, followed by [REDACTED] and Officer MARTINEZ then appear to be arguing near the doorway and Officer MARTINEZ is observed attempting to exit the front doorway. [REDACTED] is immediately behind him as he enters the revolving doorway. The doorway stops turning while [REDACTED] is there. A moment later, [REDACTED] walks away from the doorway and Officer MARTINEZ is observed (at approximately 0605 hours), taking a step or two outside the doorway to the left (where the parking garage is located), then turns to his right and begins to run off in a northwesterly direction.

[REDACTED] is then observed walking outside, watching Officer MARTINEZ flee and then she re-entered the lobby.

For approximately the next 5 to 6 minutes, the video tape indicate [REDACTED] Mrs. MARTINEZ and the doorman, Mr. VEGA, all looking out the window from time to time in the direction of where Officer MARTINEZ ran off to.

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At approximately 0611 hours, Officer MARTINEZ is observed walking back to the lobby and entering the building, after being gone for approximately 6 minutes.

After Officer MARTINEZ returns, he and [REDACTED] appear to be arguing and each time Officer MARTINEZ approaches the area where his wife is seated, Ms. [REDACTED] immediately goes over to that area.

At approximately 0614 hours, the Chicago Police Department is observed entering the lobby.

The above observations of the video tape reflect only a portion of the series of events that took place in the lobby of 201 Westshore Drive, Chicago, IL, on 21 March 2006, at approximately 0600 hours. In order to observe the entire accounts of this recording, as well as the demeanor of each involved, one would have to watch the video in its entirety.

On 20 April 2006, this office obtained an electronically recorded statement from the accused, Officer Abraham MARTINEZ (No. 35). Present for this statement were Sergeant Michael GOLDSMITH, Deputy Inspector Claude KAYSEN, Officer Abraham MARTINEZ and his attorney, Roy BRADYS. This statement was obtained after first advising Officer MARTINEZ of his Civil Statutory Rights (No. 33) and Administrative Proceedings Rights (No. 34).

Officer MARTINEZ related the following:

On 21 March 2006, Officer MARTINEZ and his wife, [REDACTED] ([REDACTED]) went out to the Green Dolphin (a nightclub). While at the club, Officer MARTINEZ met with Ms. [REDACTED]. Officer MARTINEZ related that he has seen Ms. [REDACTED] before, however, does not recall from where, stating, "I don't recall her." After speaking with Ms. [REDACTED] Officer MARTINEZ agreed to give her a ride home when they were finished socializing at the club.

After Officer MARTINEZ, his wife and Ms. [REDACTED] left the club, Officer MARTINEZ had to stop for gas prior to driving Ms. [REDACTED] home. Officer MARTINEZ recalled stopping for gas, because there was a problem with the payment at the station and it took a long time to clear up. In fact, after Officer MARTINEZ went in the station to pay, Ms. [REDACTED] and Mrs. MARTINEZ exited the car and went inside to see what was taking so long.

After the matter of the payment for gas was cleared up, the MARTINEZ's and Ms. [REDACTED] drove to Ms. [REDACTED] apartment. Officer MARTINEZ

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parked his car in the parking garage of Ms. [REDACTED] building and all three (3) went up to Ms. [REDACTED] apartment.

Then, according to Officer MARTINEZ, all three had a drink in the apartment and the MARTINEZ's received a tour of the apartment. They stayed a little while and as it was getting late, they had to leave. Officer MARTINEZ stated that Ms. [REDACTED] was real nice to them and they said their goodbyes and left.

Officer MARTINEZ stated that he and his wife entered the lobby at the same time and tried to find their car. Officer MARTINEZ stated that he was talking to the doorman about finding his car when Ms. [REDACTED] came down to the lobby. Officer MARTINEZ stated, "She came over to me and said that I took her money and said, "Give me back my money-----give me back my money." I told her, I don't have your money, and then [REDACTED] told me, "You took my twelve-hundred dollars." Officer MARTINEZ told Ms. [REDACTED] that he was the police and, "If you want, call the police and I'll stay here until the police come." Officer MARTINEZ then said he showed [REDACTED] his pockets and told her, "she could check me." Officer MARTINEZ then removed some money from his pocket and Ms. [REDACTED] grabbed it. Officer MARTINEZ then kept telling Ms. [REDACTED] that he was the police and did not have her money. Ms. [REDACTED] said, "Oh, you have my money. Give me my money."

Officer MARTINEZ then told his wife, "I want to get out of here" and he went out the revolving door, thinking the parking garage gate was there. The door was not there, so he returned back to the lobby.

Officer MARTINEZ stated, "The Chicago Police Department then came and the sergeant was very polite. I let the police search my car and told them that I never went to my car. I told Chicago they were welcome to search my car and me. Do whatever you want to do. We don't have her money."

Officer MARTINEZ said that he never raised his voice to the Chicago officers and was trying to cooperate with anything they wanted to do.

Officer MARTINEZ was then asked if his statement to this office was accurate or was it to the best of his recollection and Officer MARTINEZ stated, "That is very accurate."

Officer MARTINEZ was then asked several follow-up questions by this office regarding his statement pertaining to this matter.

Officer MARTINEZ was asked if he had said, "If you think I stole the money, call the police and I'll just wait for the police to come. Officer MARTINEZ answered, "That's correct."

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Officer MARTINEZ was then asked, after making that statement (about waiting for the police) if he left the building and went outside to try and get to his car and Officer MARTINEZ stated, "That is correct."

Officer MARTINEZ stated that he believes he told Ms. [REDACTED] twice to call the police and that he would wait for them, however, still went out the door of the building.

Officer MARTINEZ was asked if when they were in the [REDACTED] apartment, did his wife ask to lie down and Officer MARTINEZ responded, "No, she wouldn't say; I want to lay down. No, No."

Officer MARTINEZ was then asked if he took his wife to Ms. [REDACTED] bedroom and Officer MARTINEZ responded, "No, absolutely not."

Officer MARTINEZ was asked if he disrobed his wife and Officer MARTINEZ responded, "No. I never went to the bedroom."

Officer MARTINEZ was asked if he at any time attempted to re-dress his wife and Officer MARTINEZ responded, "No."

Officer MARTINEZ was asked if when he was in the lobby arguing about the missing money with Ms. [REDACTED] did she say, "Give me my money" or did she say a denomination of money and Officer MARTINEZ responded, "I think she said fifteen hundred or thirteen hundred, but when I read the allegation, it said twelve-hundred." Officer MARTINEZ stated that he does not recall if she used a denomination. "She could have said fifteen."

Officer MARTINEZ was again asked if Ms. [REDACTED] tried to go into his pockets to check for money and Officer MARTINEZ said, "No, not at all. I offered that she could search me."

Officer MARTINEZ was again asked by this office if he told Ms. [REDACTED] "Call the police and I'll just wait here for the police" and Officer MARTINEZ responded, "Yeah."

Officer MARTINEZ was again asked about leaving the building and he stated that he left to try to get his car. Officer MARTINEZ stated that he did not know where the gate was, so he went out, went to his right, could not find the gate and came back to the lobby, and this took a minute, give or take a minute.

Officer MARTINEZ was asked if he or his wife took any articles up to the apartment with him or his wife and Officer MARTINEZ stated, "No sir, no articles at all."

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Officer MARTINEZ was asked if when they left, did his wife have any articles of clothing in her hands and Officer MARTINEZ responded, "I don't remember."

Officer MARTINEZ was asked if when he was walking out the revolving doors to leave, did Ms. [REDACTED] try to restrain him, argue with him about leaving and try to prevent him from going and Officer MARTINEZ responded, "She didn't.....she didn't want me to leave." Officer MARTINEZ did not remember if Ms. [REDACTED] tried to prevent him from leaving the lobby.

When Officer MARTINEZ was asked if he remembered arguing with Ms. [REDACTED] and she tried to keep him in the building, Officer MARTINEZ stated that he did not remember that. Officer MARTINEZ stated, **"She didn't have an argument with me at all."**

Officer MARTINEZ was again asked if the statement he gave was true and factual regarding the events that took place in the lobby and Officer Martinez responded, **"The statement I gave, yes sir."**

Officer MARTINEZ was then informed that if all the events that took place in the lobby regarding this matter were captured on the building's surveillance camera, would that have changed his statement today and Officer MARTINEZ responded (nearly inaudible), "No."

Officer MARTINEZ was then informed that Ms. [REDACTED] stated that she tried to look in his pockets for her money, but he would not let her look in all the pockets, however, he said she did not try to look in all the pockets and that if she wanted to, he would have let her. Officer MARTINEZ was asked by this office, "If the camera indicates that she was trying to look in all your pockets and you would not let her see all the pockets, then what is this office to believe?" and Officer MARTINEZ responded, "Sarge, she could have looked in every single pocket I had."

CONCLUSION:

Upon a review of all the information made available to the Office of Internal Affairs in reference to this investigation, this office has made the following conclusion:

On 21 March 2006, Ms. Maricar [REDACTED] did go out to the Green Dolphin Nightclub with friends. Officer Abraham MARTINEZ and his wife, [REDACTED] also went to the same club. At some point in the early morning hours of 21 March 2006, approximately 0120 to 0200 hours, Ms. [REDACTED] met up with what she claimed was an old acquaintance, Abe MARTINEZ. Ms. [REDACTED] stated that she first met "Abe" when she was 19 years old, when she used to frequent the China Club Nightclub. Ms.

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██████████ stated that Officer MARTINEZ was the doorman at the club and would let her and other underage girls in the club. Ms. ██████████ is now 33 years old, so Ms. ██████████ claims to have met Officer MARTINEZ approximately sixteen (16) years ago. Ms. ██████████ stated that over the years, she would on occasion have an opportunity to run into Abe MARTINEZ at other clubs as the doorman and they would speak with each other.

Mrs. ██████████ MARTINEZ stated to this office, when asked about the encounter with Ms. ██████████ that she met her on the 21st of March 2006, at the club for the first time, however, "Abe remembered her."

Officer MARTINEZ, when asked to explain to this office about his background with Ms. ██████████ stated the following: When asked, prior to 21 March 2006, did you know Ms. ██████████ Officer Martinez said, "No, what do you mean, know her?" Officer MARTINEZ went on to say that he may have seen her before, but had no idea where that might be; it could have been in a car, a club or the beach. Officer MARTINEZ stated, "I don't recall her." Officer MARTINEZ did state that he was the doorman at the China Club at around the time Ms. ██████████ stated that she met him for the first time.

After hellos were exchanged, at some point, Officer MARTINEZ agreed to provide Ms. ██████████ with a ride home at the end of the evening.

Sometime around closing time at the club, or shortly after, Officer MARTINEZ and his wife, ██████████ and Ms. ██████████ left the club en route to Ms. ██████████ apartment at 201 Westshore Drive, Chicago, IL.

Ms. ██████████ stated that prior to arriving at her residence, "Abe" had to stop to purchase gasoline for his car. "Abe" stopped at a gas station and Ms. ██████████ recalls this, because there was a problem after "Abe" purchased the gas. "Abe" had to go into the store and was there for a long time. Ms. ██████████ and ██████████ became concerned and walked inside the store to see if everything was alright before continuing on to Ms. ██████████ apartment.

Officer MARTINEZ recalls basically the same series of events at the gas station and stated that it took longer than normal to clear up. Officer MARTINEZ stated that both Ms. ██████████ and his wife came into the store to see if everything was alright.

Ms. ██████████ MARTINEZ, when asked if there was anything unusual about the encounter when stopping for gas, stated, "No, it was just kind of like the usual thing."

After the stop for gas, they proceeded to Ms. ██████████ residence. Ms.

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██████████ gave Officer MARTINEZ (the driver) instructions on how to enter her parking garage and where to park the car. The parking garage entrance is to the right of the front door of 201 Westshore Drive, Chicago, IL, approximately thirty (30) feet from the main revolving door of the building's entrance.

Officer MARTINEZ parked the car and all three (3) parties went up to Ms. ██████████ apartment.

After arriving at Ms. ██████████ apartment, Ms. ██████████ gives an extremely detailed account of the events which took place in her apartment by the MARTINEZ's as well as herself. Ms. ██████████ statement was taken on two (2) occasions, one which was recorded and one which was not. Each account was as detailed and exact as the other and can be reviewed in this investigational file.

Some of the noted factors in her account are: after they all arrived and had a beer, etcetera, Officer MARTINEZ asked if his wife could lie down in the bedroom. Ms. ██████████ said that it was okay and noted that Mrs. MARTINEZ was extremely intoxicated and tired. At some point, according to Ms. ██████████ Abraham MARTINEZ went to the bedroom where his wife was resting and asked his wife to remove her clothes. When ██████████ was too tired to respond, Officer MARTINEZ removed his wife's clothing, down to her underwear. Ms. ██████████ observing this and concerned for Mrs. MARTINEZ, began to ask her if she was alright, etcetera. At this point, Officer MARTINEZ walked out of the bedroom and closed the door.

After a few moments of speaking with ██████████ MARTINEZ, Ms. ██████████ went to the main part of the apartment to see what Officer MARTINEZ was doing. As Ms. ██████████ exited the bedroom, she observed Officer MARTINEZ scurry out of the second bedroom and crouch against the wall. After confronting Officer MARTINEZ about his actions, Ms. ██████████ and Officer MARTINEZ returned to the master bedroom to check on his wife. It was at this point, according to Ms. ██████████ that Officer MARTINEZ's demeanor changed and he wanted to get out of the apartment. Mrs. MARTINEZ was too tired to get dressed or leave, so Officer MARTINEZ attempted to dress her, however, he could not get her bra, shirt and other items of clothing on her, so he put her jacket on and Mrs. MARTINEZ carried the remaining items.

The MARTINEZ's then left the apartment, argued in the hallway and went towards the elevator.

Ms. ██████████ concerned about the behavior of Officer MARTINEZ, felt the need to check her wallet, knowing that she had in excess of thirteen-hundred dollars (\$1,300.00) in the purse.

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When Ms. [REDACTED] checked the purse and noticed only a few twenties in the wallet, and knowing that she is meticulous about how she arranges her money, believed that thirteen-hundred dollars (\$1,300.00) was taken from her wallet by Officer MARTINEZ. Mrs. [REDACTED] then stated she called the doorman in the building and told him not to let the MARTINEZ's leave and to call the police, that he stole money from her.

Mrs. [REDACTED] MARTINEZ recalled the following events in the apartment of Ms. [REDACTED] in summary: "The apartment was nice, really big. She gave us a beer and it was getting late, so we left. No big deal."

Mrs. MARTINEZ was asked if at any time she said that she had too much to drink, wasn't feeling well and asked to lie down. Mrs. MARTINEZ responded, "I might have. I think I sat down. I was tired and it was late. I don't remember really what happened at the house before we left."

Mrs. MARTINEZ was then asked by this office if she might have laid down and Mrs. MARTINEZ's response was, "I honestly don't remember at that point, like too many details about....." When asked by this office if she was intoxicated, Mrs. MARTINEZ responded, "I had.....yeah."

Mrs. MARTINEZ stated that Ms. [REDACTED] was to nice them. "Real nice until she accused Abe of stealing money. Then she was in a rage and said, "He stole my money from my purse." Mrs. MARTINEZ was asked how much money was taken and she stated that Ms. [REDACTED] said, "Twelve-hundred dollars----twelve-hundred dollars. She kept repeating it over and over."

Officer MARTINEZ recalled the following events that took place in Ms. [REDACTED] apartment. "Ms. [REDACTED] showed us her place. It was real nice, gave us a tour. We had a couple beers. We had small talk. I don't recall the conversation. It was getting late, so we left. Ms. [REDACTED] was real nice to us."

Officer MARTINEZ was asked if his recollection of what took place was accurate and he stated, "yes."

Officer MARTINEZ believes they were in Ms. [REDACTED] apartment for about two and a half hours. After the tour, they stayed in the living room area.

Officer MARTINEZ was asked if at any time his wife said she was tired and wished to lie down and Officer MARTINEZ stated, "No, she wouldn't say, I want to lie down. No, no."

Officer MARTINEZ was asked if he escorted his wife to the bedroom, disrobed her and

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later tried to dress her and his response was, "No, absolutely not. I never went to the bedroom."

Officer MARTINEZ did state that there were times in the apartment that he and his wife were not in the same room and that [REDACTED] and Ms. [REDACTED] were in a different room together.

This investigation now turns to the sequence of events that took place in the lobby of 201 Westshore Drive, Chicago, IL.

Ms. [REDACTED] stated that after calling the doorman (Jeff VEGA) and instructing him to call the police and to keep the MARTINEZ's there, she left her apartment and went directly to the lobby. Once in the lobby, she met with Officer MARTINEZ by the door when Ms. [REDACTED] demanding her money back and had a verbal argument about Abraham stealing her \$1,300.00.

At this point, according to Ms. [REDACTED] she began to try to enter Officer MARTINEZ's pockets in an attempt to get her money back. Officer MARTINEZ removed some money (approximately \$120.00) and she grabbed it. Ms. [REDACTED] then tried to get to all of Officer MARTINEZ's pockets, however, he would not let her enter his one front pocket and turned away from her.

A conversation then took place between Ms. [REDACTED] and Officer MARTINEZ about the missing money and that the police were called, "So let's just wait till the police arrive to resolve the matter." It was at this point that Ms. [REDACTED] stated that Officer MARTINEZ went to the revolving door at the front of the building and tried to leave. Ms. [REDACTED] began to argue with Officer MARTINEZ to stay, that the police were on the way. She stated that she put her arm in the revolving door in order to stop him. Fearing injury to her arm, she removed it and Officer MARTINEZ left the building.

Ms. [REDACTED] stated that Officer MARTINEZ took a step or two to the garage, then turned and ran off to the northwest, "running like a deer." Ms. [REDACTED] went out to see where Officer MARTINEZ was running and then came back inside the lobby. Ms. [REDACTED] spoke with the doorman, Jeff VEGA, and Mrs. MARTINEZ about Officer MARTINEZ running off with her money. All three of them looked out the window in the direction Officer MARTINEZ ran off to with her money.

About 6 minutes later, Ms. [REDACTED] stated that Officer MARTINEZ returned back to the lobby, trying to get his wife to leave with him and to get a cab. Each time Officer MARTINEZ tried to get his wife from the couch, Ms. [REDACTED] stated that she would go over to Mrs. MARTINEZ and sit on her to avoid them from leaving. Ms.

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██████████ then stated that Officer MARTINEZ said he was going and that his wife could take a cab later. After Abraham MARTINEZ returned to the lobby, Abraham stated that he did not take her twelve-hundred dollars. Ms. ██████████ found this strange, it was the first time twelve-hundred dollars came up in the argument.

At this point, Ms. ██████████ stated that Officer MARTINEZ's demeanor changed and he said, fine, he'd wait for the police and calmed down. Ms. ██████████ told him that was because he put the money outside and does not have it anymore.

The Chicago Police Department then came and arrested Officer MARTINEZ.

It was after the Chicago Police Department arrived and Ms. ██████████ checked her wallet that she discovered the missing money equaled twelve-hundred dollars (\$1,200.00) and not thirteen-hundred dollars (\$1,300.00) that she originally suspected.

Mrs. ██████████ MARTINEZ recalled the following events in the lobby area: "When me and Abe got to the lobby, Ms. ██████████ came down and accused Abe of taking her money."

Mrs. MARTINEZ then sat in a chair, because she was tired, and Officer MARTINEZ went outside to see if he could get to the garage to get the car. "Ms. ██████████ kept yelling, look, he's leaving, he's leaving, he's going to leave you here." Mrs. MARTINEZ heard Officer MARTINEZ, in the time he and Ms. ██████████ were arguing before he walked out say, "Well, call the police if that's what you think, because I didn't take anything from you. So the police came and he (Abe) was still outside, then he came in." Mrs. MARTINEZ stated that when her husband went outside, it was to get to the car and after he could not gain entry to the garage from outside, he came back in the lobby. Mrs. MARTINEZ stated that Ms. ██████████ was in a rage and said, "He stole money from my purse." When asked how much Ms. ██████████ said he stole, ██████████ responded, "Twelve-hundred dollars (\$1,200.00). I remember she kept saying, 'Twelve-hundred dollars, twelve-hundred dollars. She kept repeating it over and over again.

Officer MARTINEZ recalls the following events in the lobby area. "When I got to the lobby, I asked the doorman how to get my car. Then the doorman got a call from ██████████ telling us not to leave. Ms. ██████████ then came down and said I took her money. "Give me back my money----give me back my money." She told me, "You took my twelve-hundred dollars." I told her then that I'm the police and if you want to call the police, I'll stay here till the doorman calls the police. And I showed her, you can check me. I went in my pockets and showed her some money and she grabbed it. I told her I was the police and would not take her money and she said, "Oh, you have my money. Give me my money." I told my wife, I want to get out of here. Let's just get out of here. I went out the revolving door to find my car, could not find the gate and returned back to the lobby and

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the cops were still not there. The police came, searched me and arrested me."

Prior to answering follow-up questions from this office, Officer MARTINEZ was asked again if his statement were true and accurate and he responded, "yes."

Officer MARTINEZ was asked by this office if he said for Ms. [REDACTED] to call the police and state, "I'll just wait for the police to come" and Officer MARTINEZ responded, "That is correct."

Then Officer MARTINEZ was asked if he said that, why did he leave the lobby before the police arrived and in fact, did leave, and Officer MARTINEZ responded, "I wanted to get to my car. I think I told her twice (to call the police). I mean, I wasn't going to get anywhere." Officer MARTINEZ stated that he went out to see if there was a gate by the garage to get his car.

When Officer MARTINEZ was asked if Ms. [REDACTED] told him exactly how much money he allegedly stole or did she just say, "you took my money," Officer MARTINEZ stated, "I think she said fifteen-hundred dollars or thirteen-hundred dollars, but when I read the allegation, it said twelve-hundred, so I did not know what I was accused of taking until I read the allegation. I thought she said fifteen-hundred dollars."

Officer MARTINEZ was then asked again if at any time did Ms. [REDACTED] try to go into his pockets to check for money. Officer MARTINEZ responded, "No, not at all. I offered to-----she could have searched me."

Officer MARTINEZ was asked did he or his wife have any articles of clothing that they brought up to the apartment and Officer MARTINEZ responded, "No sir, no articles at all."

Officer MARTINEZ stated that when he walked outside to find the garage door and could not find it, he came back to the lobby and "was gone for about a minute."

Officer MARTINEZ was asked if when he began to walk outside from the lobby, did Ms. [REDACTED] try to prevent him from leaving and argue with him and Officer MARTINEZ stated, "No she didn't. She didn't have an argument with me at all."

The above information provided to this office by Officer MARTINEZ, his wife, [REDACTED] and Ms. [REDACTED] varies to some degree, depending on the person that was being interviewed by this office. The one factor that becomes clear in all three (3) of the subject's statements provided to this office is the following: Ms. [REDACTED] statement is clear, precise and non-wavering. Ms. [REDACTED] provided this office, on two separate accounts, her detailed account of the events that took place on 21 March 2006,

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as it relates to this investigation.

Mrs. MARTINEZ's statement at times concurs with Ms. [REDACTED] in some of the events, and other times, does not. Mrs. MARTINEZ stated that she recalled certain facts clearly, however, at other times had no recollection to important events of the evening. Mrs. MARTINEZ's statement to this office often conflicted with her own statements earlier in the interview, as well as her husband's, Abraham's, account of the evening.

Officer MARTINEZ recalled certain factors, did not remember others or changed his answers during the interview, or his responses did not correspond with the video surveillance tape.

The one factor that is clear with all three (3) interviews, with the exception of Officer MARTINEZ and his wife, [REDACTED] MARTINEZ, stating that they did not take the money, is that often during [REDACTED] MARTINEZ's interview, she agreed with Ms. [REDACTED] statement of the events and not with her husband.

Equally at times in Officer MARTINEZ's statement, he agreed with Ms. [REDACTED] statement and not with his wife's.

With this understood, this office placed a great deal of weight on the statement of the doorman, Mr. Jeffery VEGA, as well as the lobby security camera video tape, to assist this office in the investigation. Listed below are factors of variation between the three (3) statements, as well as the doorman and the video tape accounts.

- Ms. [REDACTED] stated that she has known "Abe" since she was 19 years old from the clubs.
- Mrs. MARTINEZ stated that "Abe" knew her.
- Officer MARTINEZ stated, "I don't recall her."

- Ms. [REDACTED] stated the problem at the gas station before arriving at her residence.
- Officer MARTINEZ recalled the same problem at the gas station.
- Mrs. MARTINEZ stated that there was no problem, nothing unusual.

- Ms. [REDACTED] stated that at her apartment, Mrs. MARTINEZ was tired and wanted to lay down and rest.

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- Mrs. MARTINEZ stated, "I might have.....I sat down. I was tired and it was late."
- Officer MARTINEZ stated, "No....no....no."

- Ms. [REDACTED] stated that "Abraham" disrobed his wife, attempted to redress her, could not properly redress her and ended up carrying items of clothing with them when they left her apartment.
- Officer MARTINEZ stated he did not disrobe her or redress her or carry any items of clothing with them to the apartment or could not remember leaving the apartment with any items of clothing.
- The video security tape indicates Mrs. MARTINEZ entering the lobby area after leaving Ms. [REDACTED]'s apartment, carrying several items of clothing, including what appeared to be a bra.

- Ms. [REDACTED] stated that she tried to check Officer MARTINEZ's pockets to look for her money in the lobby area, however, Officer MARTINEZ would not let her check one (1) of the pockets and kept turning away.
- Officer MARTINEZ stated that Ms. [REDACTED] did not try to look in his pockets, however, he would have let her.
- The video security tape indicates Ms. [REDACTED] attempting to reach into all of Officer MARTINEZ's pockets and Officer MARTINEZ shielding one (1) of his pockets and turning away from Ms. [REDACTED] when she tried to reach for that pocket.

- Ms. [REDACTED] stated that after confronting Officer MARTINEZ in the lobby about her missing monies, she told him the police were coming and said to him, "Let's just wait until they get here to figure it all out."
- Mrs. MARTINEZ remembers her husband saying, before he left the building, to call the police and that he would wait for them.
- Officer MARTINEZ stated that he was the "police" and to call them, that he would wait for them to show up. However, all three (3) stated that Officer MARTINEZ left the lobby before the police arrived.
- The video security tape indicates Officer MARTINEZ leaving the lobby prior to the Chicago Police arrival.

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- Ms. [REDACTED] stated that when Officer MARTINEZ attempted to leave the lobby, she tried to stop him and put her arm in the door and argued with him. She removed her hand to avoid injury and Officer MARTINEZ walked out and then ran off.
- Officer MARTINEZ stated he had no argument at the door with Ms. [REDACTED] about leaving and that he just went to try to get to his car.
- The video security tape indicated that an argument took place near the door between Ms. [REDACTED] and Officer MARTINEZ. When Officer MARTINEZ tried to walk out the door, Ms. [REDACTED] went to the door, tried to stop him, argued with him, then she stepped back from the door and Officer MARTINEZ walked out and then began to run.

- Ms. [REDACTED] stated that Officer MARTINEZ walked out the door, took a step or two, then ran away from the building in a north-west direction and was gone, out of view, for about 6 or 7 minutes.
- Mrs. MARTINEZ stated that her husband walked out the door to try and get to the parking lot to get his car and when he could not, he returned back to the lobby. Mrs. MARTINEZ stated that her husband was gone for about a minute.
- Officer MARTINEZ stated that after telling Ms. [REDACTED] to call the police and that he would wait for them, he walked out of the building before the police arrived to try to get to his car and leave. Officer MARTINEZ stated that he looked for the parking garage door and could not locate it, so he came back in the lobby. Officer MARTINEZ said he was maybe gone for a minute.
- The doorman, Jeffery VEGA, stated that after Officer MARTINEZ knew the police were on the way, he ran off for about 5 minutes before returning and asking his wife to get a cab and go.
- The security video tape showed Officer MARTINEZ walk out the front door, take a step or two towards the parking garage, turn and run off to the northwest. Officer MARTINEZ was gone for about 6 to 7 minutes before returning to the lobby.
- The Chicago Police Report CB#16481950 stated, "Officer MARTINEZ could not give any satisfactory reason for leaving for the short time or where he had gone."

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- Ms. [REDACTED] stated that she accused Officer MARTINEZ of stealing thirteen-hundred dollars from her. Ms. [REDACTED] went on to say after accusing Officer MARTINEZ of taking thirteen-hundred dollars from her several times, she found it strange, after Officer MARTINEZ returned back to the lobby, that he stated he did not take her twelve-hundred dollars. It was only after Ms. [REDACTED] filed her report with the Chicago Police Department and Officer MARTINEZ was no longer at the scene, did she discover it was in fact twelve-hundred dollars, not the thirteen-hundred dollars that she originally believed.
- Mrs. MARTINEZ stated Ms. [REDACTED] accused Abe of taking money from her. Mrs. MARTINEZ stated [REDACTED] kept stating, "Abe stole twelve-hundred dollars" from her and kept repeating it.
- Officer MARTINEZ stated, [REDACTED] told me I took her twelve-hundred dollars." When asked further about the amount of money, Officer MARTINEZ responded, "I think she said fifteen-hundred or thirteen-hundred, but I read the allegation and it said twelve-hundred." Officer MARTINEZ stated he does not recall if Ms. [REDACTED] used the denomination of money, "She could have said fifteen."
- Jeffrey VEGA, the doorman, stated, "Ms. [REDACTED] said Officer MARTINEZ took thirteen-hundred dollars from her."
- The Daily Activity Report for the condominium association states, "The alleged robbery of thirteen-hundred dollars."

In summary, Officer MARTINEZ had an opportunity and an obligation as a police officer, once he knew that the Chicago Police Department was responding to the allegation of him taking the money from Ms. [REDACTED] to simply wait for the responding officer(s) and cooperate with their investigation.

However, Officer MARTINEZ chose, after being confronted by Ms. [REDACTED] about the theft, to flee the area of 201 Westshore, Chicago, IL, for approximately 6 to 7 minutes, well away from the view of anyone looking at or for him.

Officer MARTINEZ had an opportunity to explain his actions to the Chicago Police Department on 21 March 2006, but according to the official report, could not. Then, both Officer

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MARTINEZ and his wife, [REDACTED] MARTINEZ, had an opportunity to explain their accounts of what happened on 21 March 2006, to this office and together, could not find agreement in their own statements regarding their actions in this investigation.

Based on the evidence presented to this office regarding Internal Investigation #2517, there could only be one reason why Officer MARTINEZ, as well as his wife, [REDACTED] were not truthful in their statements to this office, and that is because Officer MARTINEZ did remove twelve-hundred dollars from Ms. [REDACTED] wallet. When the plan fell apart before Officer MARTINEZ could drive off and his car was held hostage by the doorman, and he knew the police were on the way, the only thing that Officer MARTINEZ could do so that he would not be found with the money on him was to flee. Officer MARTINEZ did not flee for a minute or so, as he and his wife reported, to look for his car. Officer MARTINEZ ran off for 6 to 7 minutes, which was witnessed by many individuals, as well as the surveillance camera, giving him an opportunity to remove the monies from him, then finally returned to the lobby, knowing that he was not in possession of the currency.

It should be noted that the Office of Internal Affairs did submit Ms. [REDACTED] wallet to the Illinois State Police Crime Lab for any possible latent print recovery. The Crime Lab has notified this office that the results of this request will not be available until sometime in late July or August of 2006. This office has determined that the wallet in question was handled by Ms. [REDACTED] after the alleged theft and the recovery of any other prints on the wallet, other than Ms. [REDACTED] may be remote. This office has determined that the results of the examination, if affirmative for Officer MARTINEZ's fingerprints, only reinforce the results of this investigation. Equally, the absence of Officer MARTINEZ's fingerprints do not diminish the results of the investigation.

In closing, the Office of Internal Affairs has conducted a complete and thorough investigation as to the allegations set forth against Officer Abraham MARTINEZ by Ms. Maricar [REDACTED] as well as the Cook County Sheriff's Police Department.

Based on all the information, statements, recordings presented to this office as it applies to this investigation and understanding that this office obtained information by administrative procedures regarding this investigation, the following is recommended:

Allegation #1 - SUSTAINED in that on 21 March 2006, Police Officer Abraham MARTINEZ was arrested by the Chicago Police Department for the theft of one-thousand-two-hundred dollars (\$1,200.00) U.S.C. While at the residence of Ms. Maricar [REDACTED] [REDACTED] Officer MARTINEZ took the money out of Ms. [REDACTED] purse and upon being questioned by her, Officer MARTINEZ fled from the scene, therefore, Officer MARTINEZ violated the following:

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Department Rules and Regulations - ROC 00-01-A.16

Chapter XVI - Violations and Disciplinary Action

Section 16.11 - Summary of Actions Subject to Discipline

Violation of any Federal or State law, County or Municipal Ordinance.

Allegation #2 - SUSTAINED in that by his actions, Officer MARTINEZ has brought discredit to himself and the Department, thereby, violating:

Department Rules and Regulations - ROC 00-01-A.12

Chapter XII - Conduct Regarding the Performance of Duty

Section 12.9 - Performance of Duty

Officers will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Any member of the Department who displays reluctance to properly perform his assigned duties, or who acts in a manner tending to bring discredit upon himself or the Department, or whose actions or performance in a position, rank or assignment are below acceptable standards, may be deemed incompetent and will be subject to dismissal from the Department.

ADDITIONAL ALLEGATIONS:

Allegation #3 - SUSTAINED in that Officer MARTINEZ failed to properly notify this Department that his wife, Mrs. [REDACTED] MARTINEZ, is a convicted felon, thereby, violating:

Department Rules and Regulations - ROC 00-01-A.13

Chapter XIII - Personal Conduct

Section 13.27 - Prohibited Associations

Individuals with whom contact and dealings are prohibited

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include persons with:

- (a) Felony arrests or convictions

Section 13.28 - Prohibited Associations

If members feel that they must have contact with such a person due to social, business or personal reasons, a request for permission will be made, in writing, through the chain of command prior to such contact. In case of family relationships, a memorandum detailing the relationship should be submitted so that an understanding may be reached regarding such associations.

Allegation #4 - SUSTAINED in that on 21 March 2006, the actions of Officer MARTINEZ showed conduct unbecoming an officer of the Cook County Sheriff's Police Department, thereby, violating:

Department Rules and Regulations - ROC-00-01-A.16

Chapter XVI - Violations and Disciplinary Action

Section 16.14 - Summary of Actions Subject to Discipline

Conduct unbecoming a member of the Department.

Allegation #5 - SUSTAINED in that Officer MARTINEZ provided an official police report (recorded statement) which contained false information, thereby, violating:

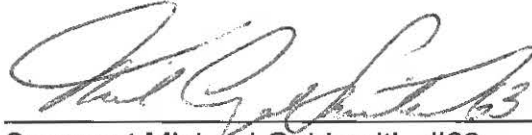
Department Rules and Regulations - ROC 00-01-A.4

Chapter IV - Communications and Correspondence

Section 4.2 - False Reports

No member of the Department will make false official record(s), reports or report any inaccurate or improper information.

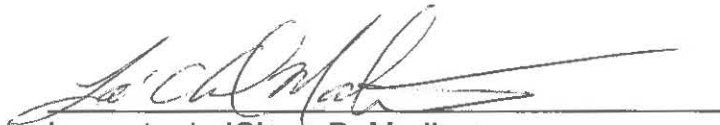
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Sergeant Michael Goldsmith, #63
Office of Internal Affairs

4. **DATE INITIATED:** 21 March 2006
5. **DATE COMPLETED:** 11 May 2006
6. **ELAPSED TIME:** 52 Days
7. **COMPLIMENTARY HISTORY:** None
8. **DISCIPLINARY HISTORY:** None
9. **RECOMMENDATION FOR DISCIPLINARY ACTION:**

Reporting Inspector has reviewed the case file concerning the allegations made against Police Officer Abraham MARTINEZ and find them be to accurate and concise. It is, therefore, the opinion of R/Inspector that **Officer MARTINEZ be separated from the Department.**



Inspector La'Chom D. Madison
Office of Internal Affairs